

## Calendar No. 265

105TH CONGRESS  
1ST SESSION**H.R. 1316**

IN THE SENATE OF THE UNITED STATES

JUNE 25, 1997

Received; read twice and referred to the Committee on Governmental Affairs

NOVEMBER 6, 1997

Reported by Mr. THOMPSON, without amendment

**AN ACT**

To amend chapter 87 of title 5, United States Code, with respect to the order of precedence to be applied in the payment of life insurance benefits.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. DOMESTIC RELATIONS ORDERS.**

4       Section 8705 of title 5, United States Code, is  
5       amended—

6               (1) in subsection (a) by striking “(a) The” and  
7       inserting “(a) Except as provided in subsection (e),  
8       the”; and

9               (2) by adding at the end the following:

1       “(e)(1) Any amount which would otherwise be paid  
2 to a person determined under the order of precedence  
3 named by subsection (a) shall be paid (in whole or in part)  
4 by the Office to another person if and to the extent ex-  
5 pressly provided for in the terms of any court decree of  
6 divorce, annulment, or legal separation, or the terms of  
7 any court order or court-approved property settlement  
8 agreement incident to any court decree of divorce, annul-  
9 ment, or legal separation.

10       “(2) For purposes of this subsection, a decree, order,  
11 or agreement referred to in paragraph (1) shall not be  
12 effective unless it is received, before the date of the cov-  
13 ered employee’s death, by the employing agency or, if the  
14 employee has separated from service, by the Office.

15       “(3) A designation under this subsection with respect  
16 to any person may not be changed except—

17               “(A) with the written consent of such person, if  
18 received as described in paragraph (2); or

19               “(B) by modification of the decree, order, or  
20 agreement, as the case may be, if received as de-  
21 scribed in paragraph (2).

22       “(4) The Office shall prescribe any regulations nec-  
23 essary to carry out this subsection, including regulations  
24 for the application of this subsection in the event that 2

1 or more decrees, orders, or agreements, are received with  
2 respect to the same amount.”.

3 **SEC. 2. DIRECTED ASSIGNMENT.**

4 Section 8706(e) of title 5, United States Code, is  
5 amended—

6 (1) by striking “(e)” and inserting “(e)(1)”;

7 and

8 (2) by adding at the end the following:

9 “(2) A court decree of divorce, annulment, or legal  
10 separation, or the terms of a court-approved property set-  
11 tlement agreement incident to any court decree of divorce,  
12 annulment, or legal separation, may direct that an insured  
13 employee or former employee make an irrevocable assign-  
14 ment of the employee’s or former employee’s incidents of  
15 ownership in insurance under this chapter (if there is no  
16 previous assignment) to the person specified in the court  
17 order or court-approved property settlement agreement.”.

Passed the House of Representatives June 24, 1997.

Attest:

ROBIN H. CARLE,

*Clerk.*



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